

<b>Certificate of Transmission by Mailing, Facsimile, or Electronic Transmission (37 C.F.R. §1.8)</b> I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is: <input type="checkbox"/> being deposited with the U.S. Postal Service on the date indicated below and with sufficient postage addressed to Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450. <input type="checkbox"/> being facsimile transmitted to the Commissioner for Patents, U.S.P.T.O. (Fax No. 571-273-8300) on the date indicated below. <input checked="" type="checkbox"/> being transmitted to the Commissioner for Patents via the U.S.P.T.O. Electronic Filing System on the date indicated below. Signature: /Barbara G. McClung/      Reg. No. 33,113      Date: 2 July 2009	
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<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	
In Re Application of: PEERY, J.R. ; et al.	Confirmation No.: 7202
Serial No.: 10/645,293	Art Unit: 1618
Filing Date: 20 August 2003	Examiner: SAMALA, J.R.
Title: SUSTAINED DELIVERY OF AN ACTIVE AGENT USING AN IMPLANTABLE SYSTEM	

**TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-referenced application are the following documents:

1. Transmittal;
2. Response to Non-final Office Action (pages 1-5), including complete listing of claims (pages 6-9);
3. Three Terminal Disclaimers; and
4. Certificates of Transmission (37 C.F.R. 1.8).

**Authorization to Charge Deposit Account:**

The Commissioner is hereby authorized to charge **\$420.00** (the fee for the three accompanying Terminal Disclaimers under 37 C.F.R. 1.20(d)) to Deposit Account No. **504212** (please reference docket number **ALE 053.16**), as well as any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, with the exception of the payment of the Issue Fee. The fees will be paid via EFS at the time of filing these papers. No further fees are believed due.

Respectfully submitted,

Dated: 2 July 2009

By : /Barbara G. McClung/  
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